

TESTIMONY

of

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Chairman Smith, Ranking Member Payne, and Subcommittee members,

Thank you for convening this hearing to discuss the upcoming World Cup in Germany and the growing international concern with the surge in human trafficking that may result. I am pleased to submit testimony on behalf of Polaris Project, a leading grassroots non-governmental organization combating human trafficking and modern-day slavery.

As the World Cup approaches next month, there are many who are in busy preparation for the upcoming festivities, including athletes, the government and people of Germany, local businesses, international tourists, and the media. However, there is one group of individuals that is also in busy preparation, due to the tremendous profits they expect to be generating – the sex traffickers.

Human trafficking and its relation to the World Cup have been topics of great discussion within the international anti-trafficking community throughout the past few months. Earlier this week, I had the opportunity to meet with a delegation of anti-trafficking advocates from 14 different countries, and our conversation kept drifting back to our shared grave concerns about the World Cup. In the meeting, representatives from Kenya, Romania, and other countries described to me how they have already begun to see cases of women from their countries trafficked to Germany.

My heart sunk as I listened to their words, because with only one month until the World Cup begins, their stories confirmed what so many of us in the anti-trafficking movement have been deeply afraid of: a worldwide surge of unprecedented sex trafficking activity to Germany to meet the demand for commercial sex associated with the World Cup. Committee members – those of us working on the ground are offering the initial reports that the early warning signs are already happening. Polaris Project has already encountered the first harbingers of the deluge to come, a call to one of our hotlines involving a woman recently trafficked to Germany and forced into prostitution.

In the weather forecasting community, there's a specific term used to describe a rare convergence of what are otherwise, even in isolation, severe atmospheric events. The term refers to those extraordinary periods when severe weather patterns merge, at the worst possible of times, to create a single vicious and deadly storm of unprecedented proportions. They call it "The Perfect Storm."

I am here to add my voice to the growing international alarm from academics, policy-makers, service providers, and survivors - all pointing towards one ominous and foreboding reality: in one month's time, at the World Cup in Germany, the anti-trafficking community will witness our incarnation of The Perfect Storm, a convergence of three distinct problems that will unfold at the highest intensity, at the worst possible time, perpetrating severe harm to thousands of women and children.

The Reality of the Sex Industry

The First Storm is the nature of the commercial sex industry itself, including the commercial sex trade in Germany. The traffickers and those that benefit from trafficking promote an image of

women who freely choose to be in prostitution, are making huge amounts of money, and are having a great time doing it. It is the 'Pretty Woman' myth that many might like to believe, but that hides the violence, trauma, and economic exploitation inflicted by the pimps and customers on the vast majority of people prostituted in the sex industry. It is also the myth that has been embraced by much of popular culture and many individuals in order to justify their inaction or ignorance on the issue. But as Polaris Project and hundreds of other organizations like us that work everyday with people in the sex industry know, the 'Pretty Woman' myth does not reflect the reality on the streets and in the brothels for a majority of women and children, where there is nearly ubiquitous use of violence and psychological abuse by the pimps, traffickers, and customers.

Polaris Project takes a progressive left approach to the sex industry, recognizing the need for critical analysis that exposes the relationships of power within the sex trade. Different actors in the sex industry do not have the same interests, and it would be irresponsible and inaccurate to group them together having one homogenous voice. Those with more power – the pimps and madams, the customers, and those in 'upper-tier prostitution' – have always advocated strongly, and for the most part effectively, for their own interests. Their interests, however, are diametrically opposed to the interests of those with the least power – the majority of prostituted and trafficked women and children. The former population uses their elite and empowered positions to collect the vast profits from within the sex industry or to maintain their access to buying women and children at will. The latter population comes almost invariably from marginalized populations, including from the very poor, from immigrant and minority groups, and from abusive homes. They also suffer the greatest amount of harm from the commercial sex industry. Research has shown that those who are prostituted face on average a 62% chance of being raped or gang-raped, a 73% chance of being physically assaulted, and a 40 times greater chance of mortality than the average person. Given these horrific conditions, the reasons for the widespread violence and psychological abuse by the pimps and traffickers to control the women and children they victimize become crystal clear. The position of the progressive left must be equally as clear - standing unwaveringly with those who are the most marginalized.

The Demand for Commercial Sex and Sex Trafficking

The Second Storm is the impending rise in demand from the World Cup for commercial sex and sex trafficking. Human trafficking is a market-based criminal industry driven by two primary factors: high profits and low risk. The central force behind the high profits associated with sex trafficking is the relentless demand for commercial sex present at some level in almost all societies. From our direct experience as service providers for victims of trafficking and as a representative of our clients' voices, we know that large sporting events, conventions, and other similar gatherings are closely tied to a spike in demand for commercial sex, and, in turn, for sex trafficking. These events attract large numbers of males, including the Superbowl for football, the NBA All-Star Weekend for basketball, and the World Series for baseball. Behind the trophies and cheers is the hidden suffering of women and children like the clients we serve that are affected by the rise in demand.

In Washington, DC, for example, the domestic sex trafficking victims whom we serve are forced to meet nightly quotas that average around \$500 dollars. There are women and girls right now as

I speak who have these quotas held over their heads and will have to meet them tonight in our Capitol city. To meet the quota, women and children as young as 12 years old must engage in numerous commercial sex acts with customers each night, in locations such as hourly hotel rooms, apartments, alleyways, and parked cars. The punishment for not meeting a quota on a given night is a severe beating, starvation, rape, or torture by a pimp, or being forced to continue to provide commercial sex for upwards of 24-48 hours until the quota is met.

There are two key points to understand about these quotas. First, the women and girls we are describing do not keep ANY of the money from their quota each night. This is a widespread misconception that must be corrected. In these situations, even though the money may pass through the woman's hands throughout the night, 100% of the money goes to the sex trafficker at the end of each night. If a woman or child is caught keeping any of the money for herself, an act absurdly known as "skimming off the top," she faces a severe beating from her trafficker. Second, quotas are directly correlated with demand, just like profit projections in any market-based system. This means that when demand for commercial sex is high, traffickers increase their quotas, and when demand for commercial sex is reduced or non-existent, traffickers simply cannot continue to enforce quotas at certain unattainable rates. The quota system demonstrates the extent to which traffickers are immediately responsive to demand. Our clients have seen how the market forces of supply and demand are impacted by events like the World Cup, and how pimps raise their quotas from \$500/night to \$2000/night during these peak demand periods. For one of our clients, the higher quota meant enduring oral, vaginal, and anal sex from up to 10 more men every night.

The World Cup not only fits this general pattern but stands out as a unique global attraction where the forces of demand will occur on an enormous scale. Not only is soccer celebrated with fanatical passion in a majority of countries, but the World Cup, second only to the Olympics, is one of the few times when such a large number of countries come together to compete. Hence, it comes as no surprise that millions are expected to flock to Germany to attend. Many will be celebrating the games, many will be visiting famous tourist attractions, and unfortunately, many will be flooding the commercial sex industry.

The sky-rocketing demand for commercial sex is the second storm that is converging with the World Cup, and the traffickers are prepared to collect the profits. There is a myth that the mega-brothels being built for Germany's World Cup will be populated by "jet-setting high-end" women in prostitution who see commercial sex as an opportunity for an empowered life. Perhaps there will be a few women in those situations, but the vast majority of the women and children sent to meet the demand will come from the traffickers and the victims they exploit.

The Legalization of Pimping and Buying of Commercial Sex

In any environment, the convergence of the first two storms would be a cause for urgent concern and would represent a serious challenge for law enforcement to adequately protect victims and arrest the perpetrators. The Third Storm, however, exacerbates all of the factors described above through creating the worst possible of environments in which to reduce harm: the legalization of pimping and legalization of the buying of commercial sex.

The traffickers are supportive of the legalized model because they know that ‘regulation’ in practice means deregulation. No country in the world has the political will or resources to support the law enforcement and service provider staffing required to meaningfully regulate a massive sex industry. Regulation has in practice meant a thin layer of regulated commercial sex businesses that have opted into the system, resting on top of a far vaster group of underground operations. The underground operations have correctly made the calculation that greater profits can be generated through not paying taxes, ignoring basic safety standards for the women, and engaging in the trafficking of children. Without a commensurately vast apparatus to meaningfully monitor and enforce against the thousands of underground operations, the increase in demand under a legalized system dramatically drives the expansion of this sector of sex trafficking.

Research has shown that countries that have legalized prostitution (in law or in practice) have seen an increase in human trafficking. In a recent report released by the United Nations Office on Drugs and Crime (UNODC), Germany was listed as one of the primary destination countries for trafficked persons in Western Europe with a “very high” incidence of human trafficking. Unlike the success seen in countries like Sweden with abolitionist policies, legalization has become a failed social experiment.

Proponents of legalized prostitution point out the benefits to some women who are in positions of greater control and power, but who form a very small minority of individuals within the commercial sex industry. They argue for legalization in order to protect their ‘right’ to have customers and managers and to operate freely, even if the policy decisions are at the expense of the majority of people in the industry who are not in similar positions of meaningful choice. As a progressive group, this is not a position that we can support. When a conflict arises between the narrow legal rights of the more privileged versus the protection of the general welfare of the more marginalized, we believe the general welfare of the marginalized must be prioritized. As the Coalition Against Trafficking in Women (CATW) stated, “to identify the prostitution industry as a system of exploitation, discrimination, and abuse is not to stigmatize its victims; it is to stand in solidarity with them.”

If legalized prostitution has not helped to curb human trafficking, who has it benefited? The legalized and under-regulated environment in Germany has normalized a system of exploitation in an industry that is highly unequal in power. Traffickers take advantage of the normalization of exploitation and the increased demand, which is facilitated through the ability to purchase commercial sex easily, anonymously, and without accountability. Traffickers know that the high demand that is present in a legalized prostitution structure cannot be met by the limited number of women operating without traffickers. They exploit the inevitable profit potential of the market by trafficking women and children at lower cost and who will be forced to provide the types of sexual acts that those with greater levels of choice find to be unsafe, unhealthy, or dehumanizing.

Legalized prostitution also helps the traffickers recruit and maintain control over their victims. A normalized environment for exploitation makes it easier for the traffickers to convince women and children that there is nothing unusual about the violent reality of their daily lives. A legalized environment gives conflicted messages to a victim, where the default position is to

believe the perceptions of the trafficker, as reinforced by the support of the government, community, and popular culture around her. If the traffickers are able to convince the governing bodies and the general public that their exploitative activities are natural and even helpful to the community, how easy is it for traffickers to target and convince women and children who are even more vulnerable to believing in the traffickers' false promises?

Modern-day slavery is one of the most urgent human rights crises of our time. There should be no country that is uncertain in its opposition to all factors that facilitate this egregious crime, or they will face international condemnation in the present and the judgment of history in the future. The storms that drive sex trafficking in Germany will not end with the final goal of the World Cup, but it is my hope that the German government will use this opportunity to make a new beginning in its commitment to the abolition of trafficking in all its forms.

Recommendations

Polaris Project makes the following recommendations:

- 1) The U.S. Congress and international community should strongly condemn any facilitation or cooperation by the German government to allow the inevitable rise in demand associated with the World Cup to fuel increased commercial sex industry activity and the resulting sex trafficking.
- 2) The U.S. Congress and international community should urge the German government to dramatically increase law enforcement and service provider funding in preparation for the increase in sex trafficking likely to occur.
- 3) Recognizing the role of legalization in promoting sex trafficking, the German government should criminalize pimping and buying commercial sex, while providing increased support and services for those victimized in the sex industry.

Conclusion

I end with the words of a great advocate for human rights who once said, "I swore never to be silent whenever and wherever human beings endure suffering and humiliation. We must always take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented."

This is a moment in history when the modern-day slave trade is the fastest growing criminal industry in the world. It is a time when it will be asked generations from now: Where did you stand? What did you do? We hope that the German government, and governments and peoples everywhere, will be able to answer in sound conscience: we stood with the oppressed, and did everything within our power.